

Appl. No. 09/736,967
Am. Dated March 15, 2005
Reply to Final Office Action of December 15, 2004

REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the Final Office Action dated December 15, 2004, and the Advisory Action dated March 3, 2005, is respectfully requested.

The Undersigned would like to thank Examiner Dang Ton for graciously speaking with the Undersigned on March 10, 2005. The Undersigned requested a discussion with Examiner Ton to clarify the disposition of claim 34, which was not addressed in the Final Office Action. In the Advisory Action, Examiner Ton noted that claim 34 was objected to. During the discussion on March 10, 2005 between Examiner Ton and the Undersigned, Examiner Ton stated that claim 34 is indeed objected to, but that claim 34 would be allowable if rewritten in independent form to include the limitations of its base claim and any intervening claims. Examiner Ton is thanked for clarifying the disposition of claim 34. It is the understanding of the Undersigned that the limitation of claim 34 is allowable.

Claims 1-5, 9, 13, and 15-33 have been cancelled. As such, claims 6-8, 11, 12, 14, and 34 are currently pending. Claims 6, 11-14, and 34 have been amended.

The Applicants believe that claims 1-5, 9, 13, and 15-33 are allowable over the cited art. However, in a sincere effort to expedite the prosecution of the instant application, claim 1-5, 9, 13, and 15-33 have been cancelled. The cancellation of these claims should not be construed as any admission as to the patentability of these claims, and the Applicants maintain the right to reintroduce these claims, as well as claims of a similar scope, in a future continuation, continuation-in-part, divisional, or other related patent application.

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Explanation of Amendments to the Claims

Claim 34 has been amended to be rewritten in independent form to include all of the limitations of its base claim (claim 9) and its intervening claim (claim 13). The dependencies of claims 11, 12, and 14 have been changed to depend from claim 34 rather than from claim 9. The Applicants note that since the Examiner has indicated that claim 34 contains allowable subject matter, and claims 11, 13, and 14 now depend from claim 34, claims 34, 11, 13, and 14 are now each allowable over the cited art.

As claim 6 contains limitations that are consistent with the limitation of claim 34, claim 6 has been amended to include the limitation of claim 34 which the Examiner has indicated is allowable. Claim 6 has also been amended to be rewritten in independent form. Therefore claim 6 and its dependent claims (claims 7 and 8) are each also known believed to be allowable over the cited art.

Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claims 1, 2, 9, 10, 14-16, 20-22, 26, and 27 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Weitz (U.S. Patent No. 6,445,682). Claims 3-8, 11-13, 17-19, 23-25, and 28-33 have been rejected under 35 U.S.C. § 103(a) as being obvious over Weitz (U.S. Patent No. 6,445,682) in view of Beever et al. (U.S. Patent No. 5,699,356). It is respectfully submitted that, in light of the cancellation of some claims and the amendments made to other claims, these rejections are now moot.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference

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would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8696.

Respectfully submitted,



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